

## **REMARKS**

Applicants submit this Amendment in reply to the Office Action mailed July 8, 2005. In this Amendment, Applicants amend claim 3 to more appropriately describe their invention, and add new claims 6-33.

Before entry of this Amendment, claims 1-5 were pending in this application, with claims 3-5 under consideration. After entry of this Amendment, claims 1-33 are pending in this application, with claims 3-33 under consideration.

The originally-filed specification, claims, abstract, and drawings fully support the amendment of claim 3, and the addition of new claims 6-33. No new matter was introduced.

In the Office Action, the Examiner rejected claims 3-5 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,399,520 to Kawakami et al. ("Kawakami").

### **Rejection of Claims 3-5 Under 35 U.S.C. § 102(b)**

Applicants respectfully traverse the rejection of claims 3-5 under 35 U.S.C. § 102(b) as being anticipated by Kawakami. In order to properly establish that Kawakami anticipates Applicants' claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Kawakami does not disclose each and every element of Applicants' claimed invention. Claim 3, for example, recites "[a]n oxide film-forming process, comprising . . . a process gas containing at least water vapor at a pressure of 6.67-266 Pa," as

amended. See also Specification, page 9, line 32. The Examiner alleges that column 15, line 45, through column 16, line 21, of Kawakami discloses “an oxide forming process (abstract) comprising . . . a process gas containing at least water vapor.” Office Action, page 2, ¶ 5. Kawakami, however, does not teach or suggest a process gas, with water vapor, at a pressure of 6.67 - 266 Pa, either in the portions cited by the Examiner or in the remainder of the reference. Accordingly, Kawakami fails to teach or suggest each and every element of claim 3. Claim 3 is therefore not anticipated by Kawakami.

Applicants therefore respectfully request the Examiner to reconsider and withdraw the rejection of independent claim 3 as being anticipated by Kawakami, under 35 U.S.C. § 102(b). Further, dependent claims 4 and 5 are allowable at least by virtue of their dependence from independent claims 3.

#### New Dependent Claims 6-11

Applicants submit that dependent claims 6-11 are patentable over Kawakami, at least due to the direct dependency of claims 6-11 from independent claim 3.

#### New Independent Claim 12

Applicants submit that new independent claim 12 is patentable over Kawakami. Claim 12, for example, recites “a plasma processing process . . . [with] a substrate having at least one groove . . . [and] exposing the surface of the substrate with the plasma based on H<sub>2</sub>O, so as to form an oxide film on the groove.” Kawakami, however, does not teach or suggest “a plasma processing process . . . [with] a substrate having at least one groove . . . [and] exposing the surface of the substrate with the plasma based

on H<sub>2</sub>O, so as to form an oxide film on the groove,” as recited in claim 12. Thus, claim 12 is not anticipated by Kawakami.

#### New Dependent Claims 13-26

Applicants submit that dependent claims 13-26 are patentable under 35 U.S.C. § 102(b) as being anticipated by Kawakami, at least due to the direct dependency of claims 13-26 from independent claim 12.

#### New Independent Claim 27

Applicants submit that new independent claim 27 is patentable over Kawakami. Claim 27, for example, recites “a plasma processing process . . . comprising: cleaning the surface of the substrate; . . . preheating the substrate with heating means; . . . and exposing the surface of the substrate with the plasma based on H<sub>2</sub>O.” Kawakami, however, does not teach or suggest “a plasma processing process . . . comprising: cleaning the surface of the substrate; . . . preheating the substrate with heating means; . . . and exposing the surface of the substrate with the plasma based on H<sub>2</sub>O,” as recited in claim 27. Accordingly, claim 27 is not anticipated by Kawakami.

#### New Dependent Claims 28-33

Applicants submit that dependent claims 28-33 are patentable over Kawakami, at least due to the direct dependency of claims 28-33 from independent claim 27.

### **Summary**

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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